

DRAFT

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
FREMONT AMENDING CHAPTER 2, TITLE VIII OF THE  
FREMONT MUNICIPAL CODE BY REZONING TEN PARCELS  
LOCATED ON THE WESTERN HALF OF THE BLOCK  
BOUNDED BY BRYANT STREET BETWEEN ANZA STREET  
AND GROVE AVENUE FROM "COMMUNITY COMMERCIAL  
HISTORICAL OVERLAY AND HILLSIDE COMBINING (CC-H-  
H-I)" DISTRICT TO "PLANNED DISTRICT, HISTORICAL  
OVERLAY (P-2005-239(H))" DISTRICT**

THE CITY COUNCIL OF THE CITY OF FREMONT DOES ORDAIN AS FOLLOWS:

**SECTION 1: AMENDMENT OF ZONING MAPS.** The Zoning Map of the City of Fremont, Section 8-2300 of the Fremont Municipal Code, hereby is amended by rezoning certain properties from CC-H-H-I (Community Commercial, Historical Overlay, Hillside Combining) District to P-2005-239(H) (Planned District, Historical Overlay) District. The location of these properties is set forth on the drawing attached hereto as Attachment 1. The Preliminary and Precise Plan for P-2005-239(H) as shown on Attachment 1 is hereby approved, and the Bryant Street Residential Site Development Guidelines and Design Terms of Reference (Exhibit "E" to staff report) which are on file in the Office of the City Clerk, are hereby approved and shall be effective within P-2005-239(H).

**SECTION 2: CEQA. Mitigated Negative Declaration.** The City Council hereby determines that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City, and finds that adoption of the ordinance will have no significant negative impact on the area's resources, cumulative or otherwise. The Community Development Department director shall file a Notice of Determination with the County Clerk pursuant to CEQA guidelines.

**SECTION 3: EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

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SECTION 4: PUBLICATION. This ordinance shall be published once in *The Argus*, a newspaper of general circulation printed and published in Alameda County and circulated in the City of Fremont, within fifteen (15) days from and after its adoption.

The foregoing ordinance was duly introduced before the City Council of the City of Fremont, County of Alameda, at the meeting of the City Council of such City, held on the 26<sup>th</sup> day of September 2006, and finally adopted at a regular meeting of said Council held on the --<sup>th</sup> day of \_\_\_\_\_ 2006, by the following vote, to wit:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney